



Town of Lancaster

TOWN PLANNING BOARD
21 Central Avenue
Lancaster, New York 14086

June 3, 2020

Planning Board Members:

Neil Connelly, Chairman
Rebecca Anderson
Anthony Gorski
Joseph Keefe
Stanley Jay Keysa III
Lawrence Korzeniewski
Kristin McCracken

Town Board Members:

Ronald Ruffino, Sr., Supervisor
Adam Dickman
Robert Leary
David Mazur

Engineering Consultant:

Ed Schiller, Wm. Schutt & Associates

Town Attorney:

Kevin E. Loftus

Town Highway Superintendent:

Daniel J. Amatura

Building & Zoning Inspector:

Matthew Fischione

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held June 3, 2020. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,


Neil R. Connelly
Planning Board Chairman

NRC:cm
Encl.

A meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held via Webex, on the 3rd day of June 2020 at 7:00 P.M. and there were present:

PRESENT: Neil Connelly, Chairman
 Rebecca Anderson, Member
 Anthony Gorski, Member
 Joseph Keefe, Member
 Stanley Jay Keysa III, Member
 Lawrence Korzeniewski, Member
 Kristin McCracken, Member

EXCUSED: None

ABSENT: None

ALSO PRESENT: None

Town Board Members: Councilman David Mazur

Other Elected Officials: None

Town Staff: Emily Orlando, Deputy Town Attorney
 Ed Schiller of Wm. Schutt & Assoc.
 Matt Fischione, Code Enforcement Officer
 Cynthia Maciejewski, Recording Secretary

Meeting called to order by Chair Connelly at 7:00 P.M.

Pledge of Allegiance led by Chair Connelly.

Minutes-A motion was made by Lawrence Korzeniewski to approve the minutes from the May 20, 2020 Planning Board Meeting. Motion seconded by Rebecca Anderson and unanimously carried.

TOWN OF LANCASTER PLANNING BOARD

COMMUNICATIONS - JUNE 3, 2020

- 6.03.01 Letter dated 5/20/20 from Supervisor Ruffino regarding the reopening of town offices.
- 6.03.02 SEQR response dated 5/20/20 from Erie County Division of Sewerage Management with comments regarding the proposed Stutzman subdivision.
- 6.03.03 Emails during the month of May regarding sidewalks in Cross Creek.
- 6.03.04 SEQR response dated 5/20/20 from NYS DEC indicating no comments regarding the Draft Scoping Document that has been prepared for the Stutzman subdivision.
- 6.03.05 Notice of SEQR review to be held 6/03/20 for Broadway and Sawgrass.
- 6.03.06 SEQR response dated 5/21/20 regarding the proposed Stutzman subdivision.
- 6.03.07 Email on 6/02/20 from Charles Malcomb with Webex information for the 6/3/20 Planning Board meeting.
- 6.03.08 Letter dated 5/7/20 from Matt Fischione, Code Enforcement Officer regarding the Site Plan Review Application of Lancaster Parkway Commercial Development, 9 Lancaster Parkway, S.B.L. #94.00-3-33.2.
- 6.03.09 Letter and petition dated 5/29/20 regarding the Stutzman Rd. Subdivision.
- 6.03.10 Letter dated 6/01/20 from Ed Schiller, Town Engineer regarding the Broadway and Sawgrass 2-lot Subdivision.
- 6.03.11 Letter dated 5/29/20 from David S. Denk, Regional Permit Administrator of NYS DEC regarding the Draft Scoping Document for the Stutzman Rd. Subdivision.
- 6.03.12 Town Board Resolution adopted on 5/18/20 regarding the Special Use Permit renewed for 3976 Walden Avenue.
- 6.03.13 Zoning Board of Appeals meeting minutes from 5/14/20.
- 6.03.14 Letter dated 5/29/20 from Mike Metzger in response to comments from the Town Building Department and Engineering regarding the Broadway and Sawgrass 2-lot minor subdivision.

Planning Board Minutes

SEQR Review

June 3, 2020

The Planning Board held its meeting via Webex on the 3rd day of June 2020 at 7:03p.m. and there were

PRESENT: REBECCA ANDERSON, PLANNING BOARD MEMBER
ANTHONY GORSKI, PLANNING BOARD MEMBER
JOSEPH KEEFE, PLANNING BOARD MEMBER
STANLEY JAY KEYS III, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
KRISTIN MCCracken, PLANNING BOARD MEMBER
NEIL CONNELLY, PLANNING BOARD CHAIRMAN

EXCUSED: NONE

ALSO PRESENT: DAVID MAZUR, TOWN COUNCILMAN
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
EMILY ORLANDO, DEPUTY TOWN ATTORNEY
CYNTHIA MACIEJEWSKI, RECORDING SECRETARY

PURPOSE OF MEETING:

IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF THE
BROADWAY AND SAWGRASS LANE 2-LOT MINOR SUBDIVISION (BURDEN)
S.B.L. 116.08-1-41

The Planning Board reviewed the Short Environmental Assessment Form with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form entitled "Part 2 Impact Assessment" which was provided to each member.

PLEASE TAKE NOTICE, that the Planning Board of the Town of Lancaster, acting as an advisory committee to provide input to the Town Board, the designated lead agency under the State Environmental Quality Review Act (SEQRA), has reviewed the following described proposed action, which is an **unlisted** action, and that committee recommends that there are no significant adverse environmental impacts relative to the criteria found in 6 NYCRR §617.d, and further recommends that the lead agency issue a **Negative Declaration** for the purposes of Article 8 of the Environmental Conservation Law in accordance with §617.12.

NAME AND ADDRESS OF LEAD AGENCY

Lancaster Town Board
21 Central Avenue
Lancaster, New York 14086
Kevin Loftus, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 0.888 acres.

The location of the premises being reviewed is Broadway and Sawgrass Lane, (S.B.L. 116.08-1-41) Lancaster, New York 14086, Erie County.

This project described as a two-lot minor subdivision with 0.825 acre physically disturbed area.

THE FOLLOWING MOTION TO OFFER A NEGATIVE DECLARATION WAS OFFERED BY MEMBER KORZENIEWSKI, WHO MOVED ITS ADOPTION, SECONDED BY MEMBER KEYSA,

TO WIT:

REASONS SUPPORTING RECOMMENDATION

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? **No impact.**
2. Will the proposed action result in a change in the use or intensity of use of land? **No impact**
3. Will the proposed action impair the character or quality of the existing community? **No impact**
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? **The Town of Lancaster has not established a Critical Environmental Area (CEA).**
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? **No impact**
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? **No impact**
7. Will the proposed action impact existing:
 - a. Public/private water supplies? **No impact**

- b. Public/private wastewater treatment utilities? **No impact**
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? **No impact**
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?
The wetland is Federal. The Army Corps of Engineers has issued a permit to fill. The boundary will be monumented. No impact.
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No impact.**
11. Will the proposed action create a hazard to environmental resources or human health? **No impact**

and,

BE IT FURTHER

RESOLVED, that the Planning Board recommendation be sent to the Town Board, for its review and consideration as the lead agency for the Action.

The question of the adoption of the foregoing Recommendation was duly put to a vote which resulted as follows:

REBECCA ANDERSON, PLANNING BOARD MEMBER	VOTED YES
ANTHONY GORSKI, PLANNING BOARD MEMBER	VOTED YES
JOSEPH KEEFE, PLANNING BOARD MEMBER	VOTED YES
STANLEY JAY KEYSA III, PLANNING BOARD MEMBER	VOTED YES
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER	VOTED YES
KRISTIN MCCracken, PLANNING BOARD MEMBER	VOTED YES
NEIL CONNELLY, PLANNING BOARD CHAIRMAN	VOTED YES

The Motion to recommend was thereupon adopted.

June 3, 2020

PRELIMINARY PLAT REVIEW-2-LOT MINOR SUBDIVISION, LOCATED AT NORTH EAST CORNER OF BROADWAY AND SAWGRASS LANE. (S.B.L. 116.08-1-41) Project #1846.

Michael Metzger of Metzger Civil Engineers summarized the 0.888 acre parcel which is zoned RCO-Residential Commercial Office and will be divided into two lots that exceed the minimum size requirements. There are Federal Wetlands in the ditch that crosses the property and the pipe will be extended with a portion of the ditch filled in according to the permit issued by the Army Corp. of Engineers. The wetlands will be monumented on site, included in the deed and shown on the property survey. Engineering and Code Enforcement comments were addressed. A Negative Declaration was issued tonight. Member Keysa did question the value of the parcel as a detention area and Mr. Metzger did state that the ditch is not a part of a Storm Water Detention System.

Ed Schiller, Town Engineer was curious why the easement was opted for instead of reconfiguring the lot. The reasoning was so that only one property owner would be in charge of maintaining the ditch.

Matt Fischione, CEO is concerned with the numbering of the lot and 911 emergency service response. A Broadway address may be necessary or an unused number from the opposite side of Sawgrass was suggested. Mr. Fischione would like comments from the Chief of Police and Emergency Services in regards to the address.

DETERMINATION

Based on the information presented to the Planning Board, a motion was made by Chair Connelly to recommend approval of the Preliminary Plat to the Town Board for Broadway and Sawgrass Lane 2-lot Subdivision. Motion seconded by Lawrence Korzeniewski.

Roll call as follows:

Chairman Connelly-Yes

Rebecca Anderson-Yes

Anthony Gorski-Yes

Joseph Keefe-Yes

Stanley Jay Keysa III-Yes

Lawrence Korzeniewski-Yes

Kristin McCracken-Yes

Motion carried.

**PUBLIC COMMENT FOR THE DRAFT SCOPE-PROJECT #8064, STUTZMAN ROAD SUBDIVISION
FOR DRAFT ENVIRONMENTAL IMPACT STATEMENT LOCATED AT 0 STUTZMAN ROAD (S.B.L.
#93.10-1-5.2) 24 SINGLE FAMILY HOMES ON 9.7 ACRES.**

Public hearing on Draft Scoping Process called to order at 7:20 p.m.

Scoping is a process by which the issues to be addressed in the draft Environmental Impact Statement are identified. Scoping process has objectives of focusing the draft EIS and potentially significant adverse environmental impacts, eliminate the nonsignificant issues, identify the extent and quality of information needed, identify the range of reasonable alternatives, provide an initial identification of mitigation measures provide the public with an opportunity to participate in the identification of impacts.

James Ostroff-Opponent

Wants to ensure that the Planning Board is taking into consideration the letters and feedback submitted by the residents.

Comments:

Adverse effect to more than 200 residents

Development has so many negative factors

Schmitt family ownership-possible sell to someone other than developer

This is not a transient neighborhood

Sole benefactor is Angelo Natale, not a town resident and would not want this by his home

Negatives include-Adverse effect on human health-rodents

- Water pressure

- Volume of water

- Nowhere for water to go on a bowl shaped lot

- No positives to the Town of Lancaster

- 24 new homes surrounded by 24 existing homes

- Snow removal has not been addressed

- Infrastructure is overtaxed

- Proposing a building moratorium

- Updated and accurate traffic study

- Not consistent with the Comprehensive Plan/Municipal Home Rule

- Intrusion on lives for a two year period

Hopeful that Lady Justice scale will tip in our favor.

Gary Rudz-Opponent

Comments:

Life-long resident of Lancaster

Lot is land locked and an exit to the Schmitt's parking lot should be considered

Private road

Burden on the Town-Financially, Traffic, Water Shed Issue, Access from Stutzman Rd.

This should be done in Phases

Include several ponds

Negative effect on the environment

Property assessment and the effect this would have on existing homes

Stress on Pleasant View Drive

Infrastructure overtaxed and overburdened

No personal investment of the developer in this community

David Mazur-Councilman

Discussed the importance of an accurate traffic study conducted when school is in session and not conducted during road closures or pandemic.

Tom Pryzbala-Opponent

Denial of 25 single family homes and resubmitted plan for 24 homes

Stutzman Rd. cannot handle the traffic

Current drainage conditions have lawns so wet that they cannot be mowed

Water retention

Waterline issues

Wrong project, wrong place

Developer conducting three meetings with the public and the developer not being present

Laura Rudz-Opponent

Not keeping in context with the neighborhood and the integrity of the area

Detriment to everyone else

Donna Walczak-Opponent

Drainage issue

Invited board out to her property to see the current drainage problem between her and the neighbor's property

A motion was made by Joseph Keefe at 7:48 p.m. to close the public hearing for the Stutzman Rd. Subdivision. Motion seconded by Anthony Gorski.

Roll call as follows:

Chairman Connelly-Yes

Stanley Jay Keysa III-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

Anthony Gorski-Yes

Kristin McCracken-Yes

Joseph Keefe-Yes

Motion carried.

Chuck Malcomb stated that written comments can be submitted to the Town Clerk until June 12, 2020. The Final Scope will be issued by the Town Board, who will serve as lead agency for this project. All comments will be considered. The applicant will then prepare a draft EIS consistent with that scoping document.

Other items discussed:

The next Planning Board meeting will be June 17, 2020.

At 7:52 p.m. a motion was made by Chair Connelly and seconded by Kristin McCracken to adjourn the meeting. Motion carried.



Town of Lancaster

TOWN PLANNING BOARD
21 Central Avenue
Lancaster, New York 14086

MEMO

TO: Honorable Town Board
Town of Lancaster

FROM: The Town of Lancaster Planning Board

DATE: June 3, 2020

RE: Broadway and Sawgrass Lane 2-lot subdivision
(S.B.L. 116.08-1-41)

PROJECT #: 1846

LOCATION: Northeast corner of Broadway and Sawgrass Lane

TYPE: Preliminary Plat Review

RECOMMENDATION: APPROVE

Roll call vote:

Chair Connelly-Yes

Rebecca Anderson-Yes

Anthony Gorski-Yes

Joseph Keefe-Yes

Stanley Jay Keysa III-Yes

Lawrence Korzeniewski-Yes

Kristin McCracken-Yes

CONDITIONS: N/A

CONCERNS: N/A